

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10451-RWZ  
CIVIL ACTION NO. 04-10717-RWZ

JOSEPH SCHMITT,  
Schmitt,  
v.  
JEFFREY SMITH, et al.,  
Defendants

&

JOSEPH SCHMITT,  
Schmitt,  
v.  
PATRICK MULVEY, et al.,  
Defendants.

**DEFENDANTS' RESPONSE TO SCHMITT'S MOTION FOR RULING ON MOTIONS  
AND RENEWED MOTION FOR SANCTIONS**

Defendants in the above-captioned matters hereby respond to plaintiff, Joseph Schmitt's ("Schmitt"), motion for ruling on motions (Docket No. 04-10451, Doc No. 101) by referring the Court to Docket Number 04-10451, Document Numbers 86, 91, and 94. Defendants renew their motion that this Court, once and for all, put an end to Schmitt's incessant filing of duplicative and frivolous motions and sanction him in the amount of \$302.00, and that until such payment is made to this Court, that he be barred from filing any further motions or cases in the U.S. District Court, District of Massachusetts.

Respectfully submitted,

NANCY ANKERS WHITE  
Special Assistant Attorney General

DATED: September 10, 2007

C. Raye Poole

/s/ C. Raye Poole

B.B.O. # 632719  
Department of Correction  
Legal Division  
70 Franklin Street, Suite 600  
Boston, MA 02110  
(617) 727-3300 ext. 147

Certificate of Service

I, C. Raye Poole, counsel for the defendants, hereby certify that on this 10<sup>th</sup> day of September 2007, I served a copy of the above motion by first class mail, postage prepaid, on Joseph Schmitt at his last known address, Massachusetts Treatment Center, 30 Administration Road, Bridgewater, Massachusetts 02324.

/s/ C. Raye Poole

C. Raye Poole